



## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

Provides Limited Government – The bill appears to increase government in that it requires the DHSMV to develop and provide for the manufacture of a new license plate, and therefore requires county tax collectors offices to maintain an appropriate inventory and administer the new plate.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation

In the state of Florida, there are groups such as Medal of Honor Recipients and Prisoners of War that receive a license plate free of charge. Surviving spouses of Prisoners of War who have not remarried are also currently entitled to a license plate free of charge.

Currently, there is no license plate available in Florida honoring the family members of service members who have been killed in action while serving in the Armed Forces of the United States. There are over 15 states that have filed or passed legislation to create a license plate that would honor family members in the U.S. armed forces that were killed in combat.

##### Effect of Proposed Changes

This bill creates s 320.0894, F.S., authorizing the DHSMV to develop and issue a Gold Star license plate honoring the family members of service members who have been killed in action while serving in the Armed Forces of the United States. To qualify for issuance of a Gold Star license plate, the applicant must be directly related to a fallen service member as spouse, legal mother or father, or stepparent who is currently married to the mother or father of the fallen service member. One vehicle per household may be issued a Gold Star license plate free of charge. Renewal decals for the license plates will also be issued at no cost. Other vehicles owned by a qualified person may be issued Gold Star license plates after the normal application fees and license taxes are paid.

The fiscal impact will result in an indeterminate, but minimal, revenue loss to the State Transportation Trust Fund, other state trust funds and local government as result of providing one free plate per household. It is estimated that there are at least 350 family members eligible for these plates. The cost to develop and distribute the plate is approximately \$59,460. According to the DHSMV, this license plate is not benefiting a non-profit organization and therefore is not required to pay the normal \$60,000 application fee like other specialty license plates.

#### C. SECTION DIRECTORY:

**Section 1.** Creates s. 320.0894 F.S. providing a motor vehicle license plate to Gold Star family members; providing for design of the plate; providing eligibility requirements and providing for payment of certain taxes and fee.

**Section 2.** Provides an effective date of July 1, 2007.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

See FISCAL COMMENTS in section below.

2. Expenditures:

See FISCAL COMMENTS in section below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

This bill will result in an indeterminate, but minimal, revenue loss to the State Transportation Trust Fund and other state trust funds as result of providing one free plate per household. The approximate total amount of the expenditures required to implement the new plate is \$59,460 and breaks down as follows:

Salaries and Benefits	\$15,000
Programming	\$ 7,560
Purchase of License Plates	<u>\$36,900</u>
Total Expenditures	\$59,460

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

No additional rulemaking authority is required to implement the provisions of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Drafting Issues

The sponsor of this bill is proposing an amendment changing the language in the bill referring to “killed in action” to “killed while serving”.

The Department of Highway Safety and Motor Vehicles has recommended the following modifications of this bill:

Section 1. DHSMV has proposed that to avoid putting the DHSMV and county tax collectors offices in the position of determining which parent will be issued a license plate at no charge when the parents of the deceased service member are divorced, license plates be issued at no charge to both parents.

Section 2. DHSMV also has requested that this act take effect October 1, 2007 instead of July 1, 2007 to allow time for implementation.

The sponsor has indicated that he will offer an amendment to address these issues.

#### D. STATEMENT OF THE SPONSOR

No statement submitted.

### **IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES**